THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.18098 of 2006

DATED 15.09.2006

Between:

Guguloth Devi and another. .. PETITIONERS

versus

The State Election Commission, represented by its Secretary, 2nd Floor, Buddha Bhavan, Secunderabad, and four others. .. RESPONDENTS

WRIT PETITION NO.18098 of 2006

ORDER:

Heard the learned counsel.

The Writ Petition is filed praying for a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of 4th respondent i.e., Election Officer, Garla Gram Panchayat in declaring the unofficial respondent No.5 as ward member from 6th ward of Garla Gram Panchayat, without having the name in the electoral roll as per Section 17 of the Panchayat Raj Act, 1994 as illegal, arbitrary, unjust, biased against Sections 17, 18, 19, 155, 156, 232 and also against the Rules 9(2)(1) and (2) of the Act, 1994 and against the principles of natural justice and consequently set aside the election of the unofficial respondent No.5 from 6th ward of Garla Gram Panchayat and pass such other suitable orders.

Several other factual details need not detain this Court any longer. It is needless to say that the 3rd respondent-Deputy Election Authority and Revenue Divisional Officer, Kothagudem, Khammam, as Election Tribunal may have to entertain the Election Petition. The grievance ventilated by the petitioners is that the 3rd respondent is not entertaining the same.

Hence, the 3rd respondent is hereby directed to entertain the Election Petitions, if any presented by the petitioners and dispose of the same in accordance with law.

With the direction indicated above, the Writ Petition is disposed

of. No costs.

15.09.2006

SSR
Issue order copy by wire at
parties costs.

(BO)